## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Ronard Lora, et al., individually and on behalf of all others similarly situated,

Plaintiffs,

-against-

J.V. Car Wash, Ltd., et al.,

Defendants.

Civ.No. 11-9010 (LLS)

NOTICE OF MOTION TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION

PLEASE TAKE NOTICE, that on the 20<sup>th</sup> day of September, 2013, at 9:30 a.m., or as soon thereafter as counsel may be heard, the undersigned, attorney for the defendants in the above-captioned matter, shall move the Court, before the Honorable Louis L. Stanton, U.S.D.J., at the United States Court House, Room 500 Pearl Street, New York, N.Y. 10007, for an Order granting defendants' motion dismissing this matter for lack of subject matter jurisdiction, and such other relief as to this Court seems just and proper under the circumstances.

PLEASE TAKE FURTHER NOTICE, that in support of the motion, defendants shall rely upon this Notice of Motion, the Affidavit of Jose Vasquez, sworn to on September 5, 2013, together with the exhibits appended thereto, and the Memorandum of Law in Support of the Motion to Dismiss of Louis J. Maione, Esq., dated September 4, 2013.

PLEASE TAKE FURTHER NOTICE, that counsel for defendants requests oral argument.

September 5, 2013

Louis J. Maione, Esq., 8589

Atty. for Defendants

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